

CASE

NUMBER:

99-102

INDEX FOR CASE: 1999-102UAC
SPRINTCOM, INC.

Construct

CELL SITE - 700 MCCOY ROAD - DRY RIDGE, GRANT

IN THE MATTER OF THE APPLICATION OF SPRINTCOM, INC. FOR
ISSUANCE OF A CERTIFICATE OF PUBLIC CONVENIENCE AND
NECESSITY TO CONSTRUCT A PERSONAL COMMUNICATIONS SERVICES
FACILITY IN THE CINCINNATI BASIC TRADING AREA
(DRY RIDGE FACILITY)

SEQ NBR	ENTRY DATE	REMARKS
M0001	03/25/1999	SANDRA KEENE / SPRINTCOM, INC.-NOTICE OF INTENT TO FILE
M0002	05/18/1999	SANDRA KEENE-NOTICE OF FILING DATE CHANGE TO 6/15/99 DUE TO TECHNICAL DIFFICULTIES
0001	06/29/1999	Application.
0002	06/29/1999	Acknowledgement letter.
0003	07/08/1999	No deficiency letter.
M0004	07/19/1999	TODD HORSTMAYER HALLIE BLACKBURN-MOTION TO INTERVENE
0004	08/02/1999	Order granting motion of Blackburn to intervene.
M0005	08/02/1999	JOHN SIMKONIS GRANT CO PLANNING COMM-CONDITIONS TO FOLLOW FOR APPROVAL OF CELLULAR TOWER
M0006	08/16/1999	WILLIAM BLACKBURN CITIZEN-LETTER OF CONCERN STILL TO PLACEMENT OF TOWER
M0007	12/06/1999	SPRINTCOM SANDRA KEENE-MOTION TO PLACE MATTER IN ABEYANCE
0005	01/25/2000	Order placing case in abeyance;status reports on collocation due every 30 days.g
0006	03/15/2000	Letter to Mark Dobbins requesting he file status report as ordered on 1/25/2000
0007	04/14/2000	Order ent., status report due 4/21 or case w/be dismissed w/out further Order.
M0008	04/19/2000	SANDRA KEENE SPRINTCOM-MOTION TO DISMISS APPLICATION
0008	05/08/2000	Final Order dismissing application.



COMMONWEALTH OF KENTUCKY
PUBLIC SERVICE COMMISSION
211 SOWER BOULEVARD
POST OFFICE BOX 615
FRANKFORT, KY. 40602
(502) 564-3940

CERTIFICATE OF SERVICE

RE: Case No. 1999-102 UAC
SPRINTCOM, INC.

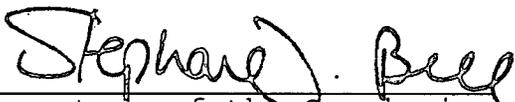
I, Stephanie Bell, Secretary of the Public Service Commission, hereby certify that the enclosed attested copy of the Commission's Order in the above case was served upon the following by U.S. Mail on May 8, 2000.

Parties of Record:

Jeffrey M. Pfaff
Legal/Regulatory Department
SprintCom, Inc.
c/o Sprint PCS
4900 Main Street, 11th. Floor
Kansas City, MO. 64112

Honorable Sandra F. Keene
Attorney at Law
Tilford, Dobbins, Alexander
Buckaway & Black
1400 One Riverfront Plaza
Louisville, KY. 40202

Honorable Todd S. Horstmeyer
Attorney for Blackburn
Fleming, Horstmeyer & Fleming
200 West Vine Street, Suite 700
Lexington, KY. 40507


Secretary of the Commission

SB/hv
Enclosure

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF SPRINTCOM, INC.)
FOR ISSUANCE OF A CERTIFICATE)
OF PUBLIC CONVENIENCE AND)
NECESSITY TO CONSTRUCT A) CASE NO. 99-102-UAC
PERSONAL COMMUNICATIONS)
SERVICES FACILITY IN THE)
CINCINNATI BASIC TRADING AREA)
[DRY RIDGE FACILITY])

O R D E R

This matter is before the Commission upon motion by the applicant, SprintCom, Inc. to dismiss its application herein. The motion was filed on April 19, 2000. In its motion, the applicant states that it has entered into a collocation agreement with another communications carrier.

The Commission, being sufficiently advised, HEREBY ORDERS that:

1. The application herein is dismissed and withdrawn from the Commission's docket.
2. The intervenor herein shall be sent a copy of this Order.

Done at Frankfort, Kentucky, this 8th day of May, 2000.

By the Commission

ATTEST:


Executive Director



COMMONWEALTH OF KENTUCKY
PUBLIC SERVICE COMMISSION

211 SOWER BOULEVARD
POST OFFICE BOX 615
FRANKFORT, KY. 40602
(502) 564-3940

April 14, 2000

Jeffrey M. Pfaff
Legal/Regulatory Department
SprintCom, Inc.
c/o Sprint PCS
4900 Main Street, 11th. Floor
Kansas City, MO. 64112

Honorable Sandra F. Keene
Attorney at Law
Tilford, Dobbins, Alexander
Buckaway & Black
1400 One Riverfront Plaza
Louisville, KY. 40202

Honorable Todd S. Horstmeyer
Attorney for Blackburn
Fleming, Horstmeyer & Fleming
200 West Vine Street, Suite 700
Lexington, KY. 40507

RE: Case No. 1999-102 UAC

We enclose one attested copy of the Commission's Order in
the above case.

Sincerely,

A handwritten signature in cursive script that reads "Stephanie Bell".

Stephanie Bell
Secretary of the Commission

SB/hv
Enclosure

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF SPRINTCOM, INC., FOR ISSUANCE)
OF A CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY TO CONSTRUCT A PERSONAL) CASE NO.
COMMUNICATION SERVICES FACILITY IN THE) 99-102-UAC
CINCINNATI BASIC TRADING AREA)
[DRY RIDGE FACILITY])

O R D E R

On June 29, 1999, SprintCom, Inc., filed an application seeking a Certificate of Public Convenience and Necessity to build a wireless communications tower at 700 McCoy Road, Dry Ridge, Grant County, Kentucky.

On December 6, 1999, SprintCom asked that this case be held in abeyance. The motion assured the Commission that a status report would be provided within 30 days to either redocket this matter for hearing or otherwise act upon it. To date, no filings have been received by this Commission.

IT IS THEREFORE ORDERED that SprintCom shall file a response within 7 days from the date of this Order. If no response is received by that date, this case will be dismissed from the Commission's docket without further Order.

Done at Frankfort, Kentucky, this 14th day of April, 2000.

By the Commission

ATTEST:

Deputy W^m H Bowker
Executive Director



Paul E. Patton, Governor

**Ronald B. McCloud, Secretary
Public Protection and
Regulation Cabinet**

**Martin J. Huelsmann
Executive Director
Public Service Commission**

COMMONWEALTH OF KENTUCKY
PUBLIC SERVICE COMMISSION
211 SOWER BOULEVARD
POST OFFICE BOX 615
FRANKFORT, KENTUCKY 40602-0615
www.psc.state.ky.us
(502) 564-3940
Fax (502) 564-3460

**B. J. Helton
Chairman**

**Edward J. Holmes
Vice Chairman**

**Gary W. Gillis
Commissioner**

March 15, 2000

Mr. Mark W. Dobbins
1401 Riverfront Plaza
Louisville, Kentucky 40202

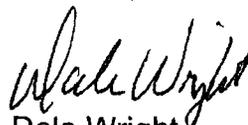
Re: Sprintcom, Inc.
Certificate of Public Convenience and Necessity
Dry Ridge
Case No. 99-102-UAC

Dear Mr. Dobbins:

On January 25, 2000, the above-numbered case was placed into abeyance by Order of the Commission. The Order included a requirement that Sprintcom "shall provide the Commission Staff with a status report or letter regarding the ongoing negotiations to collocate on SBA's tower." I have not received such a report and I am certain that the Commission will be asking for the status of the case.

Please advise me in writing of the status of the application.

Sincerely,


Dale Wright
Staff Attorney

DW:v





COMMONWEALTH OF KENTUCKY
PUBLIC SERVICE COMMISSION

730 SCHENKEL LANE
POST OFFICE BOX 615
FRANKFORT, KY. 40602
(502) 564-3940

January 25, 2000

Jeffrey M. Pfaff
Legal/Regulatory Department
SprintCom, Inc.
c/o Sprint PCS
4900 Main Street, 11th. Floor
Kansas City, MO. 64112

Honorable Sandra F. Keene
Attorney at Law
Tilford, Dobbins, Alexander
Buckaway & Black
1400 One Riverfront Plaza
Louisville, KY. 40202

Honorable Todd S. Horstmeyer
Attorney for Blackburn
Fleming, Horstmeyer & Fleming
200 West Vine Street, Suite 700
Lexington, KY. 40507

RE: Case No. 1999-102 UAC

We enclose one attested copy of the Commission's Order in
the above case.

Sincerely,

A handwritten signature in black ink that reads "Stephanie Bell".

Stephanie Bell
Secretary of the Commission

SB/hv
Enclosure

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF SPRINTCOM, INC.)
FOR ISSUANCE OF A CERTIFICATE)
OF PUBLIC CONVENIENCE AND)
NECESSITY TO CONSTRUCT A) CASE NO. 99-102-UAC
PERSONAL COMMUNICATIONS)
SERVICES FACILITY IN THE)
CINCINNATI BASIC TRADING AREA)
[DRY RIDGE FACILITY])

O R D E R

On December 6, 1999, Sprintcom, Inc. ("Sprintcom") filed a motion to place its application for a certificate of public convenience and necessity in abeyance. As grounds for its motion, Sprintcom states it is in negotiations with SBA Towers, Inc. ("SBA") to collocate on SBA's tower.¹ The Commission finds that the grounds for the motion are reasonable and that the motion should therefore be granted. However, Sprintcom should file reports regarding the status of the negotiations.

The Commission, being otherwise sufficiently advised, and finding good cause, HEREBY ORDERS that:

¹ Case No. 99-241-UAC, Application of SBA Towers, Inc. and GTE Wireless of the Midwest Incorporated For Issuance of a Certificate of Public Convenience and Necessity to Construct a Wireless Communications Facility in the Cincinnati-Dayton Major Trading Area Which Includes Boone, Kenton, Campbell, Gallatin, Grant, Pendleton, Bracken, Mason, Lewis, Greenup, Carter, Boyd, Elliott, Lawrence, Johnson, Martin, Floyd, and Pike Counties, Kentucky ("Dry Ridge/01-1546 Facility").

1. Case No. 99-102-UAC is placed in abeyance until further orders of the Commission.

2. Every thirty days, Sprintcom shall provide the Commission Staff with a status report or letter regarding the ongoing negotiations to collocate on SBA's tower.

Done at Frankfort, Kentucky, this 25th day of January, 2000.

By the Commission

ATTEST:


Executive Director

No Address

REC'D
AUG 16 1999
PUBLIC SERVICE
COMMISSION

August 12, 1999

Executive Director
Public Service Commission
P.O. Box 615
Frankfort, Kentucky 40502

Re: Docket No. 99-102 UAC

Dear Sir or Madam:

My mother and I would like to express our thanks to the Public Service Commission for allowing us the opportunity to present our concerns. We feel that the decision reached by the Grant County Planning and Zoning Commission on Monday, July 26, 1999, was both arbitrary and capricious and that items 4 and 5 contained in our Motion To Intervene previously forwarded to Mr. John Simkonis, Grant County Planning and Zoning Administrator, were either not followed or blatantly ignored.

As revealed by the Commission Chairman, Mr. John Lawrence, the Planning and Zoning Commission members were restricted solely to a "yes/no" vote on the proposed cellular telecommunications site - even though Commission members initially voted to extend the time period in order to consider our concerns. This decision for further study was based on the knowledge that the physical criteria indicated that a compromise site was possible and the revelation that another telecommunication tower of a competing company has been proposed within 1,800 feet of the proposed Sprint tower indicating the feasibility of co-location on a single tower.

We would also like to inform the Public Service Commission that Sprint representative, Mr. Nicholas Berryman, was advised as early as January 22, 1999, and no later than March 2, 1999, that there was the potential of moving my residence to the most northeastern corner of my mother's property. This was prior to and in advance of Sprint's decision to select the adjacent property for the proposed telecommunications tower.

Executive Director
August 12, 1999
Page Two

Again, we have no problems with the contract nor the arrangements between the adjacent landowner and Sprint; however, we do feel that our concerns regarding a mutually acceptable location have been ignored and that Sprint has been deficient in refuting our contention that there is a distinct possibility of co-locating with GTE Wireless some 1,800 feet further north.

Finally, we would like to advise both Sprint and the Public Service Commission that there remains the distinct possibility of my residence being relocated to the most northeastern corner of my mother's property (in which case less than 100 feet would separate both the Sprint tower and my residence), and in the instance of a catastrophic event with resulting damage to that property, we will hold responsible and seek legal redress against the appropriate parties.

Respectfully yours,



William E. Blackburn

WEB/da
<TL3-BlackburnPubSerComm>

cc: Hon. Sandra F. Keene
Hon. Todd S. Horstmeyer
Hon. Dale Wright
Mr. Jeffrey M. Pfaff

Grant County Planning Commission

Grant County Courthouse – 101 North Main Street
Williamstown, Kentucky 41097
606 824 7770 – 606 824 7796 – www.grantcopz.com

RECEIVED

AUG 02 1999

PUBLIC SERVICE
COMMISSION

Kentucky Public Service Commission (KYPSC)
Attn: Helen C. Helton, Executive Director
730 Schenkel Lane
Frankfort, Kentucky 40602-0615

July 27, 1999

RE: Communications Services Facility – **Case Number 99-102 UAC.**

Dear Mrs. Helton:

On Monday June 28, 1999 the Grant County Planning Commission received an application from SPRINTCOM, Inc (4801 West Higgins Road – Suite 220, Rosemont, Illinois 60018), to construct a communications facility ("tower") at 700 McCoy Road, Dry Ridge, Grant County, Kentucky.

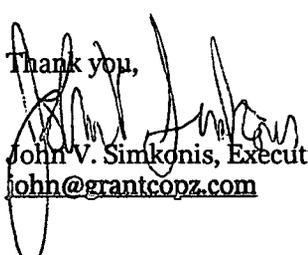
The Grant County Planning Commission met on July 26, 1999 to review SPRINTCOM's application and will make the recommendation of approval for this site with the following conditions:

1. The communications facility ("tower") have a permitted height of 250 feet (with possible adjustment to 290 feet).
2. The communications facility ("tower") have at least one parking space.
3. The communications facility ("tower") have all access drives and parking spaces paved with asphalt.
4. The communications facility ("tower") use barbwire on the top of the fences and slats within the chain links for privacy when building the compound.
5. The communications facility ("tower") have landscaping on all four sides of the compound.
6. A written agreement between SPRINTCOM and the local governing body for the upkeep of all landscaping and equipment.

Please see attached meeting minutes for more details on the public hearing for this communications facility ("tower") at Dry Ridge.

In addition, please contact me with any questions about the hearing or application for SPRINTCOM.

Thank you,

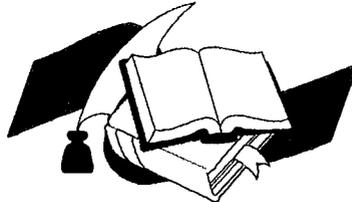

John V. Simkonis, Executive Director
john@grantcopz.com

cc: Spectra Site Communications, Inc. – Terry Shumate, Zoning Manager

GRANT COUNTY PLANNING COMMISSION

REGULAR MEETING

JULY 26 1999



ITEM 6. PUBLIC HEARING FOR A CELL TOWER – SPRINTCOM, INC – 700 MCCOY RD

John Simkonis stated that all notices were sent and fees paid.

Chairman, John Lawrence read a letter from AT &T stating that they were willing to co-locate on a tower at this location.

John Simkonis state that the request was made by SPRINTCOM to locate a Tower at 700 McCoy Rd. outside the city limits of Dry Ridge. Staff Recommendation – is approval. He also stated that they were asking for a waiver on the parking and a height to 250 ft. And that new regulation for cell towers were passed at the previous meeting but this application was presented prior to the new regulations.

John Simkonis read a letter from Ray Erpenbeck Engineers stated that they recommended approval, but no landscaping plans were submitted.

Chairman, John Lawrence declared the public hearing open at 7:22.

Terry Shumate was present representing the applicant. He stated that this site was identical to the 3 previous sites he had presented. He stated that the location was at 700 McCoy Rd., about ½ way down the road and was on the property of Scroggins who owned approximately 25-28 acres. He stated that they were asking for 3 waivers 1. To build the tower to a height of 250 ft. 2. The parking and drive area not be required to be paved and 3. That barbwire be permitted on top of the chain link fence. Mr. Shumate stated that this site was delayed due to negotiation problems with property owners.

Vernon Webster asked if there were any existing or proposed towers in the vicinity of this proposed located.

Mr. Shumate stated that there were no towers but it was his understanding that there was an application made for another tower on McCoy Rd., but that the application was deficient. He also stated that landscaping was not required but they would landscape if the commission wanted.

Chairman, John Lawrence asked if anyone wished to speak in favor of the request. No one spoke in favor.

Chairman, John Lawrence asked if anyone wished to speak against the request.

Todd Horstmeyer, representing W. Blackburn – adjoining property owner, stated the Mr. Blackburn's home was approximately 1200 ft. from this location. He stated that 3000 ft. on the

Stephenson property there was a proposed tower by GTE Wireless. Mr. Horstmeyer stated that there were 2 other possibilities on the Scroggins property that would place the tower either 2200 ft. or 1800 ft from the Blackburn residence. He said that for an aesthetic as well as economic reasons these locations would be more appropriate. He also stated that he would like time to discuss with sprint and GTE other possibilities for located the tower.

Chairman, John Lawrence stated that the commission was to make a decision on this application and this location and could not choose other sites for the tower.

Mr. Horstmeyer stated that his main concern was that a property owner is notified that there could be tower in their backyard and all information is confidential and everyone says that there hands are tied to the decision and the tower goes up.

Chairman, John Lawrence stated that the law is written that they can only approve or disapprove a location and that's all they can do.

Mike Drysdale stated that if the Commission says they don't want the site and it goes to Frankfort the next sight may be worse. He stated that they would like to have more control he also stated an opportunity should be given to establish dialog with all persons involved.

Ken Rylee stated that the Commission has 60 days from receipt of the application to act or it is automatically approved.

Mr. Blackburn stated that he was born and raised in this house and it was moved from another location on the farm. He stated that he does not have a problem with sprint locating on the Scroggins property. He said that Mr. Scroggins does not live on the property and he would be the one looking at the tower from now on.

Greg Frank stated that if you change 1 location others may have to be moved. He said that there was a 0.6-mile search ring that the tower must be located in.

William Threlkheld stated that the applicant can waive the period of days that the commission has to decline or approved the site. He suggested this in order to provide the commission sufficient time to review the site. He asked that the applicant waive this time or the site be declined.

Donna Stephenson, adjoining property owner stated that she had been working with GTE for 1 year and that site would be away from any homes.

Tony Brewer stated that if a person agrees to a contract for money to place a tower on his property this is compensation for the tower but the neighbors get no compensation. He was also concerned that there should be a distance from county road and from adjoining property owner line in the case that the tower was to fall it would not fall on a county road and would fall on the property owner whose land the tower was on.

Terry Shumate stated that the towers were constructed to withstand winds that were normally along the coast and if the tower were to fall it would crumble on itself and not fall straight over. He stated that they were 2 months behind in this site due to failed negotiations with the Blackburn's. He stated that the Scroggins parcel had a very small portion in the search ring and if the Blackburn's and sprint could have agreed to a contract the tower would be on their parcel of land. He stated that an Engineer determined the site and if the site was moved it could move a way from the other approved sites.

Nick Kinman questioned by the tower was not located in the center of the search ring.

Mr. Shumate stated that was the ideal placement but negotiations could not be reached with other property owners.

Mr. Blackburn stated that the negotiations with sprint had failed because there was not one contact person in his family to talk with sprint.

Mr. Horstmeyer stated that if a property can't come to terms with a company then they go next door. He stated he would like an opportunity to speak to people about locating the tower further north on the property.

Chairman, John Lawrence declared the public hearing closed at 8:30.

William Covington made a motion to table a decision until the August meeting in order to get further information, Jim Weigel seconded the motion. A roll call vote was taken: Vernon Webster - no, Jim Weigel - yes, Robert Worthington - yes, Samuel Womble - no, Dudley Peddicord - yes, Mike Drysdale - no, Nick Kinman - yes, William Covington - yes, Marvin Faulkner - no, Brooke Wooton - no, John Lawrence - no. Motion fails.

Sam Womble made a motion to accept the application allowing the tower to be built to a height of 250 ft., allowing barb wire fencing, requiring paving of access drive and parking area, landscaping surrounding base of tower and the tower be stub able. Mike Drysdale seconded the motion. A roll call vote was taken: Vernon Webster - yes, Jim Weigel - abstained, Robert Worthington - yes, Samuel Womble - yes, Dudley Peddicord - yes, Mike Drysdale - yes, Nick Kinman - yes, William Covington - no, Marvin Faulkner - abstained, Brooke Wooton - yes. Motion passes.



COMMONWEALTH OF KENTUCKY
PUBLIC SERVICE COMMISSION

730 SCHENKEL LANE
POST OFFICE BOX 615
FRANKFORT, KY. 40602
(502) 564-3940

August 2, 1999

Jeffrey M. Pfaff
Legal/Regulatory Department
SprintCom, Inc.
c/o Sprint PCS
4900 Main Street, 11th. Floor
Kansas City, MO. 64112

Honorable Sandra F. Keene
Attorney at Law
Tilford, Dobbins, Alexander
Buckaway & Black
1400 One Riverfront Plaza
Louisville, KY. 40202

Honorable Todd S. Horstmeyer
Attorney for Blackburn
Fleming, Horstmeyer & Fleming
200 West Vine Street, Suite 700
Lexington, KY. 40507

RE: Case No. 99-102 UAC

We enclose one attested copy of the Commission's Order in
the above case.

Sincerely,

Stephanie Bell

Stephanie Bell
Secretary of the Commission

SB/hv
Enclosure

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF SPRINTCOM, INC. FOR)
ISSUANCE OF A CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY TO) CASE NO.
CONSTRUCT A PERSONAL COMMUNICATIONS) 99-102-UAC
SERVICES FACILITY IN THE CINCINNATI BASIC)
TRADING AREA (DAY RIDGE FACILITY))

O R D E R

This matter arising upon the motion of Hallie Day Blackburn and William E. Blackburn (hereinafter "Petitioners"), filed July 19, 1999, for full intervention, and it appearing to the Commission that Petitioners have a special interest which is not otherwise adequately represented, and that such intervention is likely to present issues and develop facts that will assist the Commission in fully considering the matter without unduly complicating or disrupting the proceedings, and this Commission being otherwise sufficiently advised,

IT IS HEREBY ORDERED that:

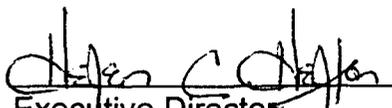
1. The motion of Petitioners to intervene is granted.
2. Each Petitioner shall be entitled to the full rights of a party and shall be served with the Commission's Orders and with filed testimony, exhibits, pleadings, correspondence, and all other documents submitted by parties after the date of this Order.

3. Should either Petitioner file documents of any kind with the Commission in the course of these proceedings, said Petitioner shall also serve a copy of said documents on all other parties of record.

Done at Frankfort, Kentucky, this 2nd day of August, 1999.

By the Commission

ATTEST:


Executive Director

FLEMING, HORSTMAYER & FLEMING
ATTORNEYS AT LAW

200 WEST VINE STREET
SUITE 700

LEXINGTON, KENTUCKY 40507

KERMIN E. FLEMING
TODD S. HORSTMAYER
ROBERT W. FLEMING
CHARLES E. WARD
JOHN P. BRICE
WADE C. LAWSON

TELEPHONE
(606) 255-6806

FAX
(606) 233-0830

July 16, 1999

Executive Director
Public Service Commission
P.O. Box 615
Frankfort, Kentucky 40502

Re: Docket No. 99-102 UAC

Dear Sir or Madam:

Enclosed is an original and eleven (11) copies of a Motion To Intervene filed on behalf of Ms. Hallie Day Blackburn and Mr. William E. Blackburn. Please file the original, retain the required number of copies and return one (1) copy to me with the designated filing date. It is my understanding that the application for Certificate Of Public Convenience And Necessity filed by Sprint Comm. Inc. will be considered before the Grant County Planning Commission on Monday, July 26, 1999.

If there are any questions regarding the motion or additional information is required, please contact the undersigned.

Yours truly,


Todd S. Horstmeyer

TSH/da

Enclosures

<TL3-BlackburnPubSerComm>

cc: Ms. Patricia B. Deacon
Mr. William E. Blackburn

RECEIVED
JUL 19 1999
PUBLIC SERVICE
COMMISSION

COMMONWEALTH OF KENTUCKY
PUBLIC SERVICE COMMISSION
730 Schenkel Lane
Frankfort, Kentucky 40602

DOCKET NO. 99-102 UAC

IN RE: SPRINT COMM., INC.
CERTIFICATE OF PUBLIC CONVENIENCE AND
NECESSITY RELATIVE TO 700 McCOY ROAD,
DRY RIDGE, GRANT COUNTY, KENTUCKY

RECEIVED
JUL 19 1999
PUBLIC SERVICE
COMMISSION

MOTION TO INTERVENE

* * * * *

Comes Hallie Day Blackburn and William E. Blackburn, through counsel, and move the Public Service Commission for the right to fully intervene with respect to the pending application for Certificate Of Public Convenience And Necessity filed by Sprint Comm., Inc.

In support of this Motion, the parties state as follows:

1. Ms. Hallie Day Blackburn is the owner of the real property and improvements located at 105 Blackburn Lane, Dry Ridge, Kentucky 41035 and presently resides at Tam-Ber Manor Family Care Home, Jessamine County, Kentucky. William E. Blackburn presently resides at 105 Blackburn Lane, Dry Ridge, Kentucky, and is the son of Ms. Hallie Day Blackburn. The real property located at 105 Blackburn Lane, Dry Ridge, Kentucky is immediately adjacent to the south of the subject site located at 700 McCoy Road, Dry Ridge, Kentucky.

2. The undersigned counsel has been retained by Ms. Hallie Day Blackburn and William E. Blackburn to represent their respective interests before the Commonwealth of Kentucky Public Service Commission, and

counsel's office address is 200 West Vine Street, Suite 700, Lexington, Kentucky 40507.

3. Ms. Hallie Blackburn, as the owner of the adjacent real property and improvements, and William E. Blackburn, as the resident of the adjacent real property and improvements, are requesting that the Commonwealth of Kentucky Public Service Commission grant to them the right of full intervention in order that they may present at the appropriate hearing before the Commission testimony, exhibits, and subsequently file appropriate pleadings and correspondence to support their position that they are being unduly harmed by the proposed site of the Sprint Comm. telecommunications tower as designated in the pending application. The proposed site of the Sprint Comm. Inc. telecommunications tower is in close proximity to the boundary line of 700 McCoy Road, Dry Ridge, Kentucky, and the residence and real property owned by Ms. Hallie Day Blackburn.

4. Ms. Hallie Day Blackburn and Mr. William E. Blackburn contend that there is a suitable alternate site which will allow the proposed telecommunications tower to be located further away from the parties' real property than the designated site.

5. The Commonwealth of Kentucky Public Service Commission should require Sprint Comm. Inc. to document in detail that there is not a new or existing tower available upon which Sprint Comm. Inc. can co-locate thereby eliminating the necessity of constructing a new tower at the proposed site. Sprint Comm. Inc. should

demonstrate that it has attempted to co-locate additional transmitting or related equipment on any new or existing telecommunications tower.

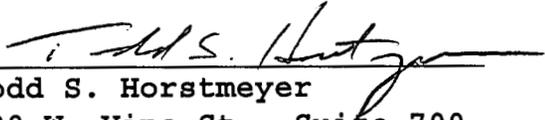
6. Ms. Hallie Day Blackburn and Mr. William E. Blackburn request that they be allowed full intervention in this pending action in order that all requirements of the Kentucky Revised Statutes and the appropriate Kentucky Administrative Regulations be lawfully applied to protect these parties' rights to ensure that the most appropriate and least aesthetic offensive location can be designated for the proposed telecommunications tower.

This will further protect the economic interest and real property value of these parties with respect to their property located at 105 Blackburn Lane, Dry Ridge, Kentucky.

RESPECTFULLY SUBMITTED,

FLEMING, HORSTMAYER & FLEMING

BY:


Todd S. Horstmeyer
200 W. Vine St., Suite 700
Lexington, Kentucky 40507
ATTORNEYS FOR HALLIE DAY
BLACKBURN AND WILLIAM E.
BLACKBURN

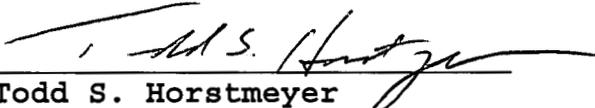
CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing Motion was served upon the parties of record by mailing a copy of same to the following on this the 16th day of July, 1999.

Hon. Mark W. Dobbins
Hon. Sandra F. Keene
Tilford, Dobbins, Alexander,
Buckaway & Black
1401 Riverfront Plaza
Louisville, Kentucky 40202

Hon. Dale Wright
Public Service Commission
730 Schenkel Lane
Frankfort, Kentucky 40602

Mr. John Simkonis
Director
Grant County Planning
and Zoning Commission
101 N. Main Street
Williamstown, Kentucky 41017


Todd S. Horstmeyer

<TP5-BlackburnMtnInt>



COMMONWEALTH OF KENTUCKY
PUBLIC SERVICE COMMISSION

730 SCHENKEL LANE
POST OFFICE BOX 615
FRANKFORT, KY. 40602
(502) 564-3940

July 8, 1999

Jeffrey M. Pfaff
Legal/Regulatory Department
SprintCom, Inc.
c/o Sprint PCS
4900 Main Street, 11th. Floor
Kansas City, MO. 64112

Honorable Sandra F. Keene
Attorney at Law
Tilford, Dobbins, Alexander
Buckaway & Black
1400 One Riverfront Plaza
Louisville, KY. 40202

RE: Case No. 99-102 UAC
SPRINTCOM, INC.

The Commission staff has reviewed your application in the above case and finds that it meets the minimum filing requirements. Enclosed please find a stamped filed copy of the first page of your filing. This case has been docketed and will be processed as expeditiously as possible.

If you need further assistance, please contact my staff at 502/564-3940.

Sincerely,

A handwritten signature in cursive script that reads "Stephanie Bell".

Stephanie Bell
Secretary of the Commission

SB/sh
Enclosure

FILED

JUN 29 1999

**PUBLIC SERVICE
COMMISSION**

FOR THE PUBLIC RECORD

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED
JUN 29 1999
PUBLIC SERVICE
COMMISSION

In the matter of:

APPLICATION OF SPRINTCOM, INC.,)	
FOR ISSUANCE OF A)	
CERTIFICATE OF PUBLIC CONVENIENCE AND)	
NECESSITY TO CONSTRUCT A PERSONAL)	CASE NO. 99-102 UAC
COMMUNICATIONS SERVICES FACILITY)	
IN THE CINCINNATI BASIC TRADING AREA)	
[DRY RIDGE FACILITY])	

SprintCom, Inc., as filed an application to construct a wireless telecommunications facility at 700 McCoy Road, Dry Ridge, Grant County, Kentucky. The coordinates for the proposed facility are: Latitude:38-41-21 ; Longitude: 84-35-56.



COMMONWEALTH OF KENTUCKY
PUBLIC SERVICE COMMISSION

730 SCHENKEL LANE
POST OFFICE BOX 615
FRANKFORT, KY. 40602
(502) 564-3940

June 29, 1999

Jeffrey M. Pfaff
Legal/Regulatory Department
SprintCom, Inc.
c/o Sprint PCS
4900 Main Street, 11th. Floor
Kansas City, MO. 64112

Honorable Sandra F. Keene
Attorney at Law
Tilford, Dobbins, Alexander
Buckaway & Black
1400 One Riverfront Plaza
Louisville, KY. 40202

RE: Case No. 99-102 UAC
SPRINTCOM, INC.
(Construct) CELL SITE - 110 MCCOY ROAD - DRY RIDGE, GRANT

This letter is to acknowledge receipt of initial application in the above case. The application was date-stamped received June 29, 1999 and has been assigned Case No. 99-102. In all future correspondence or filings in connection with this case, please reference the above case number.

If you need further assistance, please contact my staff at 502/564-3940.

Sincerely,
Stephanie Bell

Stephanie Bell
Secretary of the Commission

SB/jc

FILED

JUN 29 1999

**PUBLIC SERVICE
COMMISSION**

FOR THE PUBLIC RECORD

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

**RECEIVED
JUN 29 1999
PUBLIC SERVICE
COMMISSION**

In the matter of:

APPLICATION OF SPRINTCOM, INC.,)	
FOR ISSUANCE OF A)	
CERTIFICATE OF PUBLIC CONVENIENCE AND)	
NECESSITY TO CONSTRUCT A PERSONAL)	CASE NO. 99-102 UAC
COMMUNICATIONS SERVICES FACILITY)	
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SprintCom, Inc., as filed an application to construct a wireless telecommunications facility at 700 McCoy Road, Dry Ridge, Grant County, Kentucky. The coordinates for the proposed facility are: Latitude:38-41-21 ; Longitude: 84-35-56.

TILFORD, DOBBINS, ALEXANDER,
BUCKAWAY & BLACK

ATTORNEYS AT LAW

1400 ONE RIVERFRONT PLAZA
LOUISVILLE, KENTUCKY 40202

(502) 584-6137

STUART E. ALEXANDER, JR.
WILLIAM A. BUCKAWAY, JR.
CHARLES W. DOBBINS, JR.
TERRELL L. BLACK
JOHN M. NADER³
MARK W. DOBBINS
STUART E. ALEXANDER, III
JOHN A. WILMES
SANDRA F. KEENE
THOMAS J. B. HURST
H. KEVIN EDDINS¹

CAROLYN K. BALLEISEN²

RANDOLPH NOE¹
MICHAEL G. KAREM⁴
* Of Counsel

HENRY J. TILFORD (1880-1968)
CHARLES W. DOBBINS (1916-1992)
DONALD H. BALLEISEN (1924-1993)
LAWRENCE W. WETHERBY (1908-1994)

TELECOPIERS
(502) 584-2318
(502) 587-1806

¹Also admitted in Indiana

²Also admitted in New York

³Also admitted in District of Columbia
and Maryland

⁴Also admitted in District of Columbia

AMENDED NOTICE OF INTENT TO FILE A CELL SITE APPLICATION

May 17, 1999

Stephanie Bell
Secretary of the Commission
Public Service Commission
730 Schenkel Lane
P.O. Box 615
Frankfort, Kentucky 40602

RE: Case No. 99-102 UAC

Dear Ms. Bell:

Due to technical difficulties in preparing necessary surveys, construction drawings, etc., needed to file the above-referenced application, SprintCom requests a short extension of the May 14 filing date stated in my letter of March 24, 1999. We intend to file the application no later than June 15, 1999. All other information previously submitted to you remains unchanged. If there are any questions, you may contact Mark Dobbins, Sandra Keene, or Heather Kuhn at 502-584-6137.

Thank you for your attention in this matter.

Sincerely,



Sandra F. Keene

RECEIVED
MAY 18 1999
PUBLIC SERVICE
COMMISSION

TILFORD, DOBBINS, ALEXANDER,
BUCKAWAY & BLACK

ATTORNEYS AT LAW

1400 ONE RIVERFRONT PLAZA
LOUISVILLE, KENTUCKY 40202

(502) 584-6137

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H. KEVIN EDDINS¹

CAROLYN K. BALLEISEN^{*2}

RANDOLPH NOE^{*1}
MICHAEL G. KAREM^{*4}
** Of Counsel*

RECEIVED

MAR 25 1999

PUBLIC SERVICE

COMMISSION
HENRY J. TILFORD (1880-1968)
CHARLES W. DOBBINS (1916-1992)
DONALD H. BALLEISEN (1924-1993)
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and Maryland

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NOTICE OF INTENT TO FILE A CELL SITE APPLICATION

March 24, 1999

Stephanie Bell
Secretary of the Commission
Public Service Commission
730 Schenkel Lane
P.O. Box 615
Frankfort, Kentucky 40602

RE: Case No. 99-102 UAC

Dear Ms. Bell:

This letter is to confirm my request for a case number on March 19, 1999. The Application is on behalf of SprintCom, Inc., for a cell site located at 110 McCoy Road, Dry Ridge, Grant County, Kentucky. I was given Case Number 99-102 UAC. We intend to file the Application no later than May 14, 1999, and we understand that the Case Number assigned to us in this matter may be reassigned if we have not submitted an Application by this date. If there are any questions, you may contact Mark Dobbins, Sandra Keene, or Heather Kuhn at 502-584-6137.

Thank you for your attention in this matter.

Sincerely,



Sandra F. Keene